

Deficit Reduction Act (DRA) Compliance Checklist

False Claims Act (FCA)

Health Plans, Hospitals, Medical Facilities, Health Care Professionals; any entity that receives or makes annual Medicaid payments, under the state plan, of at least \$5 Million must provide proof that the following has been established:

Yes No

		All employees and management to include contractors and agents received written detailed information regarding the False Claims Act
		Verification that all employees and management to include contractors and agents have read the written policy regarding the false claims act.

The written policies included the following information.

Yes No

		Knowingly presenting (or causing to be presented) to the Federal Government a false or fraudulent claim for payment;
		Knowingly using (or causing to be used) a false record or statement to get a claim paid by the Federal Government;
		Conspiring with others to get a false or fraudulent claim paid by the Federal Government;
		Knowingly using (or causing to be used) a false record or statement to conceal, avoid, or decrease an obligation to pay money or transmit property to the Federal Government.
		The False Claims Act covers fraud involving any federally funded contract or program, with the exception of tax fraud.
		Liability for violating the FCA is equal to three times the dollar amount that the Government is defrauded (i.e., treble damages) and civil penalties of \$5,500 to \$11,000 for each false claim.
		An individual can receive an award for “blowing the Whistle” under the FCA.
		In order to receive an award you must file a <i>qui tam</i> lawsuit.
		The whistleblower that files a False Claims Act suit receives an award only <i>if, and after,</i> the Government recovers money from the defendant as a result of the lawsuit.
		The award an individual can receive for Filing a <i>Qui Tam</i> Lawsuit is generally, between 15 and 30 percent of the total recovery from the defendant, whether through a favorable judgment or settlement.
		The amount of the award depends, in part, upon if the government participates in the suit and the extent to which the person substantially contributed to the prosecution of the action .

		The whistle blower is protected under the FCA as stated; any employee who is discharged, demoted, harassed, or otherwise discriminated against because of lawful acts by the employee in furtherance of an action under the Act is entitled to any relief necessary to make the employee whole.
		Are Arizona statutes regarding civil or criminal penalties for false claims and statements referenced?
		Does the entity have written policies regarding policies and procedures for detecting and preventing fraud, waste and abuse (compliance program)?

I/we certify that we have read and understand all the above requirements. I/we also certify that we have implemented the necessary written policies and procedures as well as provided the required training under the Deficit Reduction Act (PL) 109-171 and the False Claims Act United States Code Title 31 § 3729-3733.

Signed

Date

Title/Organization